

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YUH-RONG F. SHIH,
Plaintiff,

- against -

10 Civ. 9020 (JGK)

JPMORGAN CHASE BANK, N.A.,

MEMORANDUM OPINION
AND ORDER

Defendant.

JOHN G. KOELTL, District Judge:

The plaintiff moves, pursuant to Federal Rule of Civil Procedure 60(b), for relief from the Court's March 7, 2013 Memorandum Opinion and Order granting the defendant's motion for summary judgment. See Shih v. JPMorgan Chase Bank, N.A., No. 10 Civ. 9020, 2013 WL 842716 (S.D.N.Y. Mar. 7, 2013).

Rule 60(b) sets forth the grounds on which a court, in its discretion, can provide relief from a final judgment or order. See Fed. R. Civ. P. 60(b); Nemaizer v. Baker, 793 F.2d 58, 61 (2d Cir. 1986). Rule 60(b) allows a court to relieve a party from a final judgment or order for, among other reasons, "(1) mistake, inadvertence, surprise, or excusable neglect"; "(3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or misconduct by an opposing party"; and "(6) any other reason that justifies relief." Fed. R. Civ. P. 60(b).

The Court's prior Order is correct for the reasons stated in the prior Opinion. The plaintiff disagrees with the prior Opinion, but fails to show that there is a basis for relief from the prior Order. Because the plaintiff has failed to meet the standard for a motion for relief, the motion is denied.

CONCLUSION

The Court has considered all of the arguments of the parties. To the extent not specifically addressed above, the remaining arguments are either moot or without merit. For the foregoing reasons, the plaintiff's motion for relief is **denied**. The Clerk is directed to close this case and all pending motions.

SO ORDERED.

**Dated: New York, New York
June 28, 2013**

/s/

John G. Koeltl
United States District Judge